

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Adam Hershman, et al.,

Plaintiffs

v.

Full Spectrum Laser LLC,

Defendant

Case No. 2:21-cv-02245-CDS-BNW

**Order to Show Cause Why a Proposed
Joint Pretrial Order is Not Filed**

Plaintiffs Adam Hershman and Sumit Singh initiated this Fair Labor Standards Act action against defendant Full Spectrum Laser LLC in December of 2021. Compl., ECF No. 1. In March 2023, I ordered the plaintiffs to begin the process of notifying prospective members. Min. order, ECF No. 24. The following month, the plaintiffs filed two consents to join. ECF Nos. 26, 27. This action then languished unprosecuted for almost two years before the court issued a notice of intent to dismiss under Local Rule 41-1 which provides that actions pending for more than 270 days without any proceeding may be dismissed for want of prosecution. Notice, ECF No. 28. The parties then jointly moved, through stipulation, to reopen discovery. Stip., ECF No. 29. On February 25, 2025, United States Magistrate Judge Brenda Weksler approved the parties' stipulation thereby reopening discovery for sixty days and directing them to file a joint pretrial order thirty days after the close of discovery. Order, ECF No. 30. The parties were supposed to file a proposed joint pretrial order on June 26, 2025. *Id.* They did not.

Local Rule IA 11-8(c) and (e) provide that the court may "impose any and all appropriate sanctions on an attorney or party" who fails to comply with the Local Rules or fails to comply with any order of this court. The plaintiffs failed to comply with Local Rules 16-3 and 16-4 and failed to comply with Judge Weksler's February 25 order. As a result, the plaintiffs are again at risk of having this lawsuit dismissed for failure to comply with the local rules and the court's

1 order. The parties must therefore either file a joint pretrial order, or the plaintiffs must explain
2 why this case should not be dismissed as a sanction for their failure to diligently prosecute this
3 case.

4 IT IS THEREFORE ORDERED that, **no later than July 25, 2025**, the plaintiffs must
5 either (1) submit a proposed joint pretrial order that complies with LR 16-3 and 16-4, or (2) show
6 cause, in writing, why this case should not be dismissed for failure to comply with the local rules
7 and the court's order. Failure to respond by the deadline will result in the dismissal of this action
8 without further notice.

9 Dated: July 3, 2025

10 
11 Cristina D. Silva
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26